Serial No.: 10/088,045 Docket No.: BM45412

Remarks:

Claims:

Claims 27-49 were pending. Claims 27-49 were subject to a five (5) way Restriction Requirement.

Claims 28, 30-31, 33, 36-37, 39-42, 45 and 47-49 have been cancelled without prejudice as being drawn to a non-elected invention.

Claims 27, 43 and 44 have been amended to more particularly and distinctly claim the subject matter of Applicant's invention. In addition, claims 27 and 35 have been amended to comply with the election requirement. Claim 38 has been amended to correct a typo.

Claims 50-55 have been added to more particularly claim an embodiment of the invention. Applicant submits that the new claims are within the inventive concept of Group I. Support for the new claims is either apparent or is as described below. Support for recombinant polypeptide can be found, for example, at: page 1, line 3; page 4, line 2; page 7, lines 9-12; page 8, lines 1-8; and page 9, lines 1-4. No new matter is added.

Restriction

Applicant hereby elects to prosecute Group I (claims 27, 29, 32, 34, 35, 38, 43-44, 46 and new claims 50-55). In addition, Applicant hereby elects SEQ ID NO:2. The claims have been amended to comply with the election requirement.

Serial No.: 10/088,045 Docket No.: BM45412

FEE DEFICIENCY

If an extension of time is deemed required for consideration of this paper, please consider this paper to comprise a petition for such an extension of time; The Commissioner is hereby authorized to charge the fee for any such extension to Deposit Account No. 50-0258.

and/or

If any additional fee is required for consideration of this paper, please charge Account No. 50-0258.

Closing Remarks

Applicants thank the Examiner for the Office Action and believe this response to be a full and complete response to such Office Action. Accordingly, favorable reconsideration in view of this response and allowance of the pending claims are earnestly solicited.

Respectfully submitted,

Eric A. Meade

Registration No. 42,876

for

Allen Bloom

Registration No. 29,135

Attorney for Applicant

DECHERT LLP

A Pennsylvania Limited Liability Partnership Princeton Pike Corporate Center PO Box 5218 Princeton, New Jersey 08543-5218

Phone: (609) 620-3248 Fax: (609) 620-3259